UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID DELOZA,
        Plaintiff,
 	
               v.
 	
DR. ARUN CHAKRABARRY, et al.,
        Defendants.
	CV 23-1316 DSF (AFM)
	
	Order DISMISSING Action for Failing to Pay Filing Fee and Comply with Court Orders

All parties instituting a civil action, suit, or proceeding in a district court of the United States must pay a filing fee. 28 U.S.C. § 1914(a). An action may proceed despite a party's failure to pay the filing fee only if the party is granted leave to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1). However, prisoners must still pay the filing fee but may do so through monthly installment payments if granted in forma pauperis status. 28 U.S.C. § 1915(b).

On February 21, 2023, Plaintiff, an inmate incarcerated at California State Prison, Los Angeles County, filed a Complaint with an accompanying request to proceed in forma pauperis ("Request"). (Docket Nos. 1, 2). On March 6, 2023, the Court postponed ruling on the Request because it was incomplete: (1) Plaintiff had indicated he was employed in the prison, but he did not answer the question regarding the number of hours he works and his hourly rate of pay, and (2) he did not sign and date the declaration or prisoner authorization. (Docket No. 6). The Court directed him to refile a fully completed Request or pay the full filing fee. (Id.). The Court warned that if Plaintiff did not comply within 30 days, the case would be dismissed without prejudice. (Id.).

To date Plaintiff has not paid the filing fee, refiled his Request, or otherwise responded to the Court's order requiring him to do either.

Accordingly, Plaintiff's Request is DENIED as incomplete, and this action is DISMISSED without prejudice. See, e.g., Allen v. United States Dist. Ct. Dist. of Nevada, 2022 WL 16702429, at *2 (D. Nev. Oct. 25, 2022) (dismissing § 1983 action where inmate failed to pay full filing fee or file a complete request for in forma pauperis status).

IT IS SO ORDERED.

Date: April 18, 2023

DALE S. FISCHER
UNITED STATES DISTRICT JUDGE

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